

1 THE HONORABLE BARBARA J. ROTHSTEIN
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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 KING COUNTY, a Washington municipal
corporation,

12 Plaintiff,

13 v.

14 TRAVELERS INDEMNITY COMPANY, et al.,

15 Defendants.

16 Case No. 2:14-cv-01957-BJR

17 **ORDER GRANTING NATIONAL
SURETY CORPORATION'S
MOTION FOR (1) ORDER
APPROVING SETTLEMENT AND
BARRING CONTRIBUTION
CLAIMS; AND (2) DISMISSAL OF
CONTRIBUTION CLAIMS**

18 **Note on Motion Calendar:
Friday, September 6, 2019**

19 THIS MATTER having come on for consideration before The Honorable Barbara Jacobs
20 Rothstein on National Surety Corporation's ("National Surety") Motion For Order
21 (1) Approving Settlement and Barring Contribution Claims; and (2) Dismissal of Contribution
22 Claims, and the Court having considered:

- 23 1. National Surety's Motion For Order (1) Approving Settlement and Barring
24 Contribution Claims; and (2) Dismissal of Contribution Claims;
25 2. Declaration of Jodi A. McDougall; and

26
ORDER GRANTING NATIONAL SURETY'S MOTION FOR
(1) ORDER APPROVING SETTLEMENT AND BARRING
CONTRIBUTION CLAIMS; AND (2) DISMISSAL OF
CONTRIBUTION CLAIMS - 1

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1 3. NOTICE of Joinder,

2 The Court GRANTS National Surety's Motion For Order (1) Approving Settlement And
3 Barring Contribution Claims; And (2) Dismissal Of Contribution Claims and APPROVES the
4 Confidential Settlement Agreement and Release ("Settlement Agreement") between Plaintiff
5 King County and Defendant National Surety. The Court further FINDS and ORDERS:

6 1. The Settlement Agreement between King County and National Surety is
7 reasonable, and was the result of arm's-length negotiations between parties represented by
8 counsel. The Settlement Agreement is not collusive, inadequate, or entered into for any other
9 improper purpose.

10 2. The non-settling insurers are adequately protected based on, among other things,
11 the terms of the Settlement Agreement, the non-settling insurers' retention of their coverage
12 defenses, and King County's representations related to potential setoff for settlement in this case.

13 *See King County v. Travelers Indem. Co., 2018 WL 1792189, at *3 (W.D. Wash. Apr. 16, 2018).*

14 3. The Court ORDERS that all insurer cross-claims against National Surety in this
15 action are DISMISSED with PREJUDICE. The Court further ORDERS that any other claims
16 for contribution, allocation, subrogation, and equitable indemnity and any other cause of action
17 in connection with this action against National Surety by any other insurers of King County are
18 hereby BARRED.

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21 ORDER GRANTING NATIONAL SURETY'S MOTION FOR
22 (1) ORDER APPROVING SETTLEMENT AND BARRING
23 CONTRIBUTION CLAIMS; AND (2) DISMISSAL OF
24 CONTRIBUTION CLAIMS - 2

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1 4. The Court directs that this Order shall be entered as a final judgment under Federal Rule
2 of Civil Procedure 54(b).

3 || IT IS SO ORDERED.

4 DATED this 7th day of October, 2019.

Barbara Jacobs Rothstein
Barbara Jacobs Rothstein
U.S. District Court Judge

11 || Presented by:

Attorneys for Defendant National Surety Corporation

**ORDER GRANTING NATIONAL SURETY'S MOTION FOR
(1) ORDER APPROVING SETTLEMENT AND BARRING
CONTRIBUTION CLAIMS; AND (2) DISMISSAL OF
CONTRIBUTION CLAIMS - 3**

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